

Appl. No. 09/935,355

Amdt. dated October 6, 2004

Reply to Office action of June 8, 2004

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Applicants would appreciate an acknowledgement by the Examiner to confirm receipt of applicants' certified copy of the priority document for German Patent Application 100 41 111.8, filed August 22, 2000 supporting the claim for priority under 35 U.S.C. § 119. Said papers were filed on September 17, 2001.

Claims 1 and 3-40 are now in the application. Claims 1, 3, 4, 7-12, 17 and 27-31 have been amended. Claim 2 has been canceled to facilitate prosecution of the instant application.

In "Claim Rejections - 35 USC § 102", item 4 on pages 2-6 of the above-identified Office Action, claims 1-4, 6-14, 16-23 and 27-40 have been rejected as being fully anticipated by U.S. Patent No. 5,487,147 to Brisson under 35 U.S.C. § 102(b).

In "Claim Rejections - 35 USC § 103", item 6 on pages 6-7 of the above-identified Office Action, claims 5, 15 and 24-26 have been rejected as being obvious over Brisson in view of U.S. Patent No. 6,343,376 to Saxe et al. (hereinafter Saxe) under 35 U.S.C. § 103(a).

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The rejections have been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. More specifically, the steps of original claim 2 have been added to claim 1. In addition, the term "plurality of possible corrections" has been changed to "plurality of feasible corrections" to emphasize the difference between potentially possible and feasible corrections. For consistency, the term "in accordance with the calculated correction" has been changed to "in accordance with a selected one of the feasible corrections."

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, a method for revising a computer program, which comprises:

providing a computer program written in a programming language in a computer;

prescribing consistency, syntax, grammar, and lexical rules;

searching the computer program initially for infringements of the prescribed consistency, syntax, grammar rules, and lexical rules;

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for an infringement of a prescribed rule, calculating a plurality of feasible corrections in the computer program; and

changing the computer program in accordance with a selected one of the feasible corrections.

Independent claims 7-11 contain similar language.

In the rejection of the subject matter of previous claim 2, which has now been incorporated into claim 1, the Examiner has referred to column 9, lines 3-10 of Brisson. At that location, Brisson describes a "set of synchronizing symbols." It is believed that the analysis of the Examiner in this regard is not correct, since the Examiner compares the "set of synchronizing symbols" with feasible corrections to errors found in the input. However, the "set of synchronizing symbols" merely constitutes a preselection of potentially possible corrections. A symbol in the "set of synchronizing symbols" only constitutes a feasible correction if that symbol can be found in the input subsequent to the error (see column 9, lines 10-13, and column 15, lines 2-4 of Brisson). For that purpose the input is scanned and the first symbol matching one of the symbols in the "set of synchronizing symbols" is used as a correction, i.e. as a continuing point for further parsing (see column 15, lines 35 - 36). Therefore, the statement in column 9, lines 3-10, cited by the

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Examiner, does not refer to a selection of feasible corrections.

Furthermore, Brisson only teaches using the first feasible correction as an input after the error is found. Brisson does not give any indication of searching the input for further feasible corrections and selecting one of them. Amended claim 1 is therefore believed to be patentable over Brisson. None of the other references cited by the Examiner are believed to make up for the deficiencies of Brisson.

Clearly, Brisson does not show "for an infringement of a prescribed rule, calculating a plurality of feasible corrections in the computer program; and changing the computer program in accordance with a selected one of the feasible corrections" as recited in claim 1 and substantially as recited in claims 7-11 of the instant application.

Claim 17 has been amended to call for, *inter alia*, a method for revising a computer program written in a programming language, which comprises:

providing a computer;

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analyzing, with the computer, a computer program for infringements of prescribed consistency, syntax, grammar, and lexical rules; and

user-defining ignored infringements from the prescribed infringements, the user-defined ignored infringements being automatically ignored.

Support for the wording that the infringements which are to be ignored, from the prescribed infringements, are user-defined, is found on page 20, lines 1-6 of the Specification the instant application.

According to the teaching of Brisson, the user defines a set of syntax rules (see column 4, lines 10-14) which have to be obeyed. All syntax not obeying those syntax rules are infringements. According to the method disclosed by Brisson (see column 9, lines 10-34, and column 15, lines 1-7), symbols which constitute infringements to anyone of such a user defined syntax rule are found and skipped (see column 9, line 16).

In contrast thereto, amended claim 17 requires that infringements which are to be ignored from the prescribed infringements are user defined. Thus, there are two differences between the invention according to claim 17 and Brisson:

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- according to amended claim 17, the user does not define correct syntax but instead (specific) infringements; and

- according to amended claim 17, the infringements defined by the user are to be ignored when analyzing the computer program. In contrast thereto, the infringements found in Brisson are not ignored. They are taken into account by skipping the infringements found and outputting a message indicating "Input was skipped up to XXXXX" (see column 9, lines 17-20).

Thus, the invention enables the user to reduce the complexity for checking computer programs by ignoring specific (user defined) infringements, which are not outputted (i.e. ignored). Brisson fails to disclose or suggest such steps. The other references cited in the Office action fail to make up for the deficiencies of Brisson.

Independent product claims 27-31 have been amended to contain features similar to claim 17.

Clearly, Brisson does not show "user-defining ignored infringements from the prescribed infringements, the user-defined ignored infringements being automatically ignored" as

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recited in claim 17 and substantially as recited in claims 27-31 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 7-11 and 27-31. Claims 1, 7-11 and 27-31 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim one of claims 1, 7-11 and 27-31.

In view of the foregoing, reconsideration and allowance of claims 1 and 3-40 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of 1 month pursuant to Section 1.136(a) in the amount of \$110.00 in accordance with Section 1.17 is enclosed herewith.

10-07-'04 12:25 FROM-Lerner & Greenberg

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Please charge any other fees that might be due with respect to
Sections 1.16 and 1.17 to the Deposit Account of Lerner and
Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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For Applicants

LAG:kf

October 7, 2004

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